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Decision to Withhold Some Iraq Export

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The White House decided that the Commerce Department should initially withhold details of administration deliberations about exports to Iraq from data given to Congress in October 1990, the former department official who carried out the decision said yesterday.

The claim was made in the first public account given by a former undersecretary of commerce for export administration, Dennis Kloske, about an incident that has provoked House Democrats to call for an independent counsel's investigation of potential violations of law by the Bush administration.

Kloske's account was denied last night by Commerce Department spokesman Marci Robinson, who said the department initially withheld information from Congress not because of a specific White House order but on the basis of a consen-

sus among "senior officials at the relevant agencies."

White House spokesman Walter Kansteiner said he did not know if a White House official initially ordered the details withheld. But he said there was nothing unusual about the administration's handling of the congressional request.

Kloske's statement, while not alleging any legal violations in the affair, depicted the Bush administration as eager to withhold from Congress as much data as possible related to U.S. exports of high-technology or military-related goods to Iraq before the Persian Gulf War.

"The guidance that I received ... was to provide only the information that was strictly responsive and certainly not to volunteer any information," Kloske said of a September 1990 request by Rep. Doug Barnard Jr. (D-Ga.) for an account of how the department had handled every application for Iraqi export licenses.

Barnard, who chairs a House

Government Operations subcommittee, was seeking to discover whether loose export controls helped Iraqi President Saddam Hussein develop nuclear and military programs. Kloske's account made clear that the administration tried hard to limit potentially negative political fallout from the inquiry, to the point where officials at three agencies sought changes in Commerce Department records before passing them along to Barnard.

Kloske, who has declined to return telephone calls and did not appear before a House Judiciary Committee hearing earlier this week, said in his statement to the committee that one of the first expressions of concern came from an unnamed senior department official, who was particularly nervous about references in internal records to the Reagan administration's approval of export licenses for "vehicles specially designed for military purposes" and "military trucks" worth a total of \$1 billion.

Data Laid to White House

Kloske said he shared the official's stated concern that the references might lead Congress to conclude the Reagan administration had violated an embargo of arms sales to Iraq. After consulting with "technical experts," he said he personally authorized department officials to describe the vehicles in documents provided to Barnard as "commercial utility cargo vehicles" instead of military trucks.

These changes were later described as "unjustified and misleading" by the Commerce Department's inspector general, in a report last September that prompted Barnard to call for a criminal investigation now being conducted by the Justice Department. Nothing in Kloske's statement about these changes points the finger at more senior administration officials.

Kloske said, however, that an initial decision not to give Barnard details of export license advice from the departments of State, Defense, and Energy was made by the White

House, and conveyed to him by Commerce Department general counsel Wendell Willkie II following Willkie's phone call to the office of White House counsel C. Boyden Gray.

That decision was reversed when Barnard insisted on learning about the departments' advice, but before the information was provided an "interagency legal body" approved what Kloske described as a series of corrections in Commerce Department records about their positions, Kloske said.

Kloske said the modifications were strictly meant to ensure accuracy. After the State Department lost a final appeal in the administration for confidentiality, the amended data was provided to Barnard in December 1990, he said.

Kloske said he did not know who authorized changes to the Commerce Department's permanent records to reflect the modifications, an action also criticized by Barnard and the department's inspector general.